

## **Jeopardy Assessment**

*Proposed Incidental Take Permit: X97 Transmission Line Rebuild Project (ITP 330)*

*Species: Eastern Ribbonsnake*

*Location: Sheboygan County*

### **Background**

#### *Project Information*

American Transmission Company (ATC) is rebuilding the 17-mile X97 138-kilovolt (kV) transmission line located in Fond du Lac and Sheboygan Counties, Wisconsin. The transmission line extends from Cedar Ridge Wind Generation to Kettle Moraine Switch to Mullet River Substation. The X97 Transmission Line Rebuild includes the following upgrades: removal of 127 steel lattice structures, replacement with 128 new steel monopole structures, installation of new conductor along the line with a larger conductor capacity, and replacement of existing shield wire with optical ground wire (OPGW). The Project will utilize the existing transmission line right-of-way (ROW), which is typically 100 feet wide. The ROW will be reduced to 80 feet wide at Project completion. In addition, temporary off-ROW access paths will be required in some locations during construction.

#### *Species Information*

Eastern ribbonsnakes (*Thamnophis sauritus*), listed as Endangered in Wisconsin, are semi-aquatic and primarily found in bog relics near or south of the Tension Zone. Eastern ribbonsnakes emerge from overwintering as early as mid-March and remain active through mid-November. They breed in spring shortly after emerging and give birth from mid-July through August. See the species guidance document for avoidance measures and management guidance from the Natural Heritage Conservation Program.

### **Conservation Measures**

Specific avoidance and minimization measures are summarized by action area below, followed by measures that are common among all action areas.

#### Action Area 1

1. During the summer portion of the species' active season (June 1-August 31) and prior to any project activities in Action Area 1, ATC will install exclusion fencing from approximately half way between Structures 168 and 167 to the western boundary of wetland X97-W7. Temporary exclusion fencing or hay bales will be installed at the boundaries of wetland X97-W8 to separate the upland and wetland snake habitat areas within Action Area 1, and to prevent snake access to upland areas during the species' migration and overwintering periods.
2. A ten-foot mowed buffer will be maintained outside the exclusion fencing to prevent snakes from climbing vegetation that extends over fencing and accessing fenced areas. To minimize potential for direct impacts from vegetation clearing during the species' active period an environmental monitor will sweep areas of existing suitable habitat ahead of clearing and mowing crews to capture any individuals detected and relocate them outside of the work area. Suitable habitat areas that require mowing during the active period will be cleared with a mower that minimizes potential suction, thereby decreasing the risk of mower-related snake mortality. The non-suction mower will be used for the first mowing and any subsequent mowing when the vegetation is over

six inches tall, unless mowing occurs in areas where exclusion fence has been previously installed as described in #1 above and after snake removals have occurred.

3. After fence installation and during the summer portion of the species' active season (June 1-August 31), an environmental monitor will conduct visual encounter surveys within wetland X97-W8 for at least six non-consecutive days over a three-week period. No project activities will occur in the wetland until snake removals are complete.
4. Structure removal, structure construction, matting, vegetation management and grading will occur in Action Area 1 during the species' active season after the exclusion fencing and snake removals have been completed in wetland X97-W8.

#### Action Area 2

5. Durabase mats will be used for access to structure 165 in Action Area 2, and a Shaner foundation will be used for the installation of structure 165. Both of these measures will reduce impacts to wetland X97-W7.
6. Due to the extremely wet conditions and sensitivity of the wetland vegetative community in Action Area 2, the use of snake exclusion fence is not proposed. Instead, Project activities will begin on or after October 21, near the end of the species' fall migration period when individuals are expected to have moved or be moving to upland habitat. During the period from October 21-November 15 when the snakes may be active, an environmental monitor will be onsite to perform visual encounter searches when project activities are occurring. Snakes detected will be captured if possible and relocated outside of the work area. After November 15, the species is considered to be inactive and an environmental monitor will no longer be necessary. Because November 15 is the latest date that the species is expected to be inactive, DNR staff may determine an earlier date based on seasonal conditions.

#### Action Area 3

7. Action Area 3 will be avoided. No access or project activities will occur in this area.

#### Action Area 4

8. Exclusion fencing was previously installed in Action Area 4 between the east boundary of wetland X97-W7 and structure 163 in August of 2018.

#### Measures Common to All Action Areas

9. Where installed, exclusion fencing will be monitored and maintained after installation. Repairs will be made where necessary to maintain the integrity and functionality of the fence. A ten-foot mowed buffer will be maintained outside the exclusion fencing to prevent snakes from climbing vegetation that extends over fencing and accessing fenced areas.
10. All environmental monitors will have field experience with the eastern ribbonsnake and its habitat and possess a valid Endangered/Threatened (E/T) Species Permit or similar authorization for eastern ribbonsnake removals.
11. Eastern ribbonsnakes observed in the work area will immediately be removed and relocated to a safe area by the permitted environmental monitor. All individual snakes removed will be recorded, photographed, and reported to the WI DNR's Endangered Resources (ER) Utility Liaison (stacy.rowe@wisconsin.gov) at the conclusion of activities within the Action Areas.

12. Any dead eastern ribbonsnakes found on site in any of the Action Areas will be recorded (approximate age, possible cause of death), photographed, and reported to WI DNR's ER Utility Liaison ([stacy.rowe@wisconsin.gov](mailto:stacy.rowe@wisconsin.gov)) at the conclusion of activities within the Action Areas.
13. Contact information for a wildlife rehabilitator will be compiled prior to the Project start date for consultation should any injured eastern ribbonsnake be encountered throughout the course of the Project.
14. Construction activities will continue from October 21 through December 2019. All matting will be removed by March 15, 2020, prior to the beginning of the eastern ribbonsnake active period.
15. Upon completion of the Project, all temporary disturbance will be restored using one of ATC's standard seed mixes. The final decision regarding the appropriate seed mix will be based on in-field analysis of the level of disturbance on steep slopes and the adjacent vegetative community, and will be approved by the WI DNR's Utility Liaison ([stacy.rowe@wisconsin.gov](mailto:stacy.rowe@wisconsin.gov)) prior to seeding. Restoration will occur in spring 2020 in areas where eastern ribbonsnakes have already been excluded.
16. In areas where erosion control blankets or mats are required, a netting that contains biodegradable thread with the "leno" or "gauze" weave (contains strands that are able to move independently) will be used to minimize the potential for snake entrapment, dehydration, desiccation, and mortality.
17. Minor changes can be made to this Conservation Plan due to unforeseen circumstances if agreed upon in writing (e.g., email correspondence) by the applicant and WI DNR's ER Utility Liaison.

### **Jeopardy Assessment**

The proposed activity will minimize and mitigate impacts to the eastern ribbonsnake and as a result, we anticipate that take of this species will be low. The department has determined that the proposed activity is not likely to appreciably reduce the likelihood of the survival or recovery of the eastern ribbonsnake within the state, the whole plant-animal community of which it is a part or the habitat that is critical to its existence.